Acknowledgment and Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant Ent 024478 Bk 71 Pg 106
Date: 19-AUG-2009 2:15Pr
Fee: None
Filed By: CF
KERI PALLESEN, Recorder
DAGGETT COUNTY
For: STATE OF UTAH

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

Know ye, This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Daggett County as it pertains to the highway located in Daggett County known as Pigeon Canyon Road; County Road Number: D21; State Geographic Information Database (SGID) Road Identification Number: RD050050. Total road length is 3.78 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at http://recorded2477roads.utah.gov.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 19th day of August, 2009.

By the Governor's Designee

John Harja

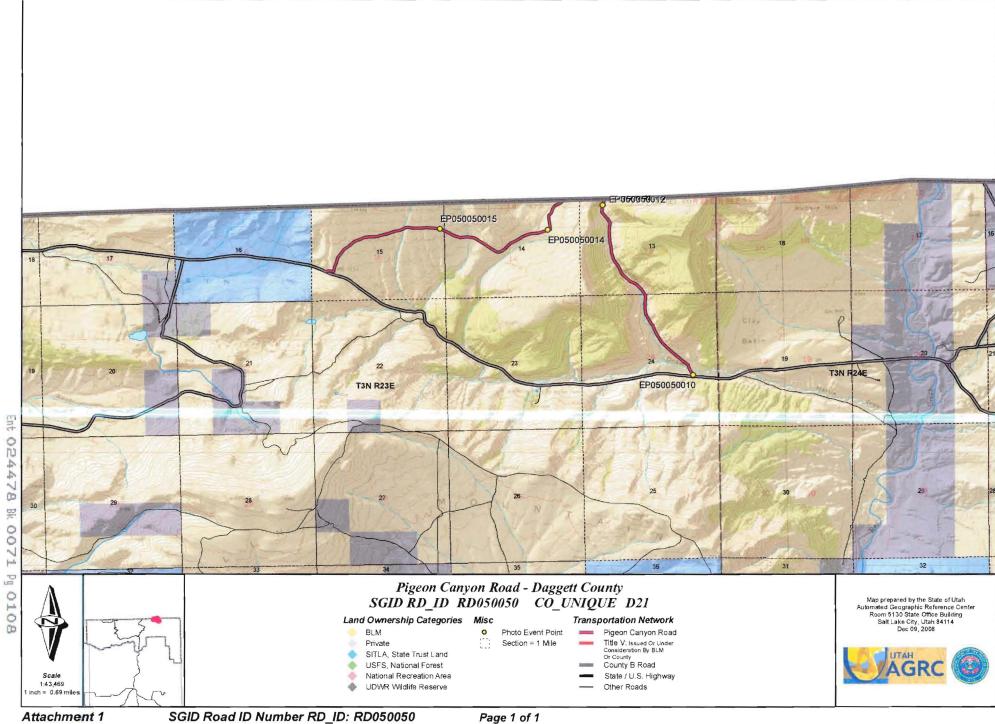
CERTIFICATION

State of Utah) : ss County of Salt Lake)

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this day of figs., 2009.

NOTARY PUBLIC SEAN REICHERT Commission No. 578973 Commission Expires JUNE 8, 2013 STATE OF LITAH Notary Public











EP050050014

EP000000000



EP000000000

Pigeon Canyon Road - Daggett County SGID RD_ID RD050050

Map prepared by the State of Ulah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 June 08, 2009



Attachment 3

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: Pigeon Canyon Road

County: Daggett

County Road Number: D21

State Geographic Information Database (SGID) Road Identification Number: RD050050.

Total Road Length: 3.78 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 59 minutes 036.2 seconds North Latitude and -109 degrees 18 minutes 056.6 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 2,243,327.1 feet and Y = 3,528,891.6 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 58 minutes 52.22 seconds North Latitude and -109 degrees 15 minutes 49.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 2,257,808.2 feet and Y = 3,524,807.2 feet based on the US Survey Foot conversion.

This road may traverse:

Township 3 North Range 23 East, Section(s) 13,14,15,24, Salt Lake Base & Meridian See Attachment 1 above for a cartographic depiction of the course of this road.

Attachment 4 Road Centerline Description Cover Page(s)

Popular Name: Pigeon Canyon Road

County: Daggett

County Road Number: D21

State Geographic Information Database (SGID) Road Identification Number: RD050050.

Total Road Length: 3.78 miles more or less.

Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).

Road-Segments Listed by SGID Road Identification Number (RD_ID)	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
RD050050	001	BLM	2.19 Miles	A
RD050050	002	BLM	1.6 Miles	В
		Total Road Length	3.78	

^{*} Indicates that a Title V permit will be requested, is in process, or has been issued.

[†] Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

Attachment 5

Attachment5

AFFIDAVIT OF FLOYD BRIGGS PIGEON CANYON ROAD DAGGETT COUNTY, UTAH DAGGETT COUNTY ROAD D21

State of Utah)
	: SS.
County of Daggett)

I, FLOYD BRIGGS, testify and declare under oath as follows:

- 1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on April 6, 1956, in Rock Springs, Wyoming. I have lived in Daggett County all of my life. I have been a Daggett County Commissioner since January of 2007. I worked for the Daggett County Road Department from approximately 1976 to 1988.
- 2. I have traveled and am familiar with Pigeon Canyon Road, Daggett County Road D21, and the land it traverses.
- 3. I took the following steps to verify that the Road I refer to in this affidavit and Pigeon Canyon Road (the "Road") are the same road:
- a. I examined a large Daggett County map depicting the Road in relation to other roads, intersections and landmarks. I observed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.
- b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the road I refer to herein.
- c. I examined ground photos depicting the road and surrounding area and verified that the Road is accurately depicted in the photos and is the Road I refer to herein.

4. I personally traveled the Road from the early 1970s through 1976 and continuing until 2008, ("the Time Period of My Experience"). It is the reputation in the community that the Road was traveled as early as the early 1900s, prior to my earliest recollection. The road provides access to a spring that has been used for years by sheep herders and cattle ranchers.

5. When I last traveled and observed the Road in 2008, it followed the same route as in the early 1970s, when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled daily during hunting seasons and weekly, weather permitting during other periods. Based upon my observation during the Time Period of My Experience, the Road was continuously used as a public thoroughfare by members of the public for public purposes whenever it was necessary and convenient for them to do so and I have never known the use of the road to have been interrupted by any means.

7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck, snowmobile and ATV, and I have observed others from the general public use the Road by the same means.

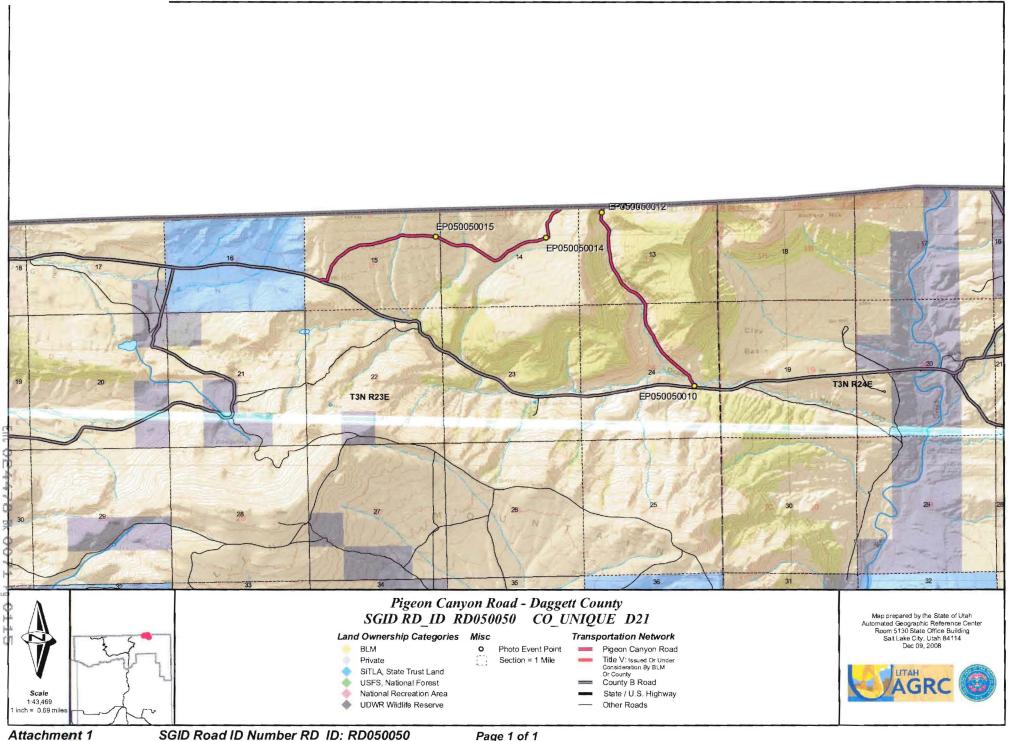
8. During the Time Period of My Experience I have personally used the Road for hunting and I have observed others from the general public using the Road for the same purposes, plus livestock operations.

DATED this _____ day of December, 2008.

FLOYD BRIGGS

SUBSCRIBED AND SWORN to before me this day of December, 2008.

NOTARY PUBLIC



SGID Road ID Number RD_ID: RD050050

Page 1 of 1

AFFIDAVIT OF GENE BRIGGS PIGEON CANYON ROAD DAGGETT COUNTY, UTAH DAGGETT COUNTY ROAD D21

State of Utah)
	: SS.
County of Daggett)

I, GENE BRIGGS, testify and declare under oath as follows:

- 1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on April 4, 1933, in Manila, Daggett County, Utah. I have lived in Daggett County most of my life. I was employed by the Daggett County Road Department from 1953 to 1955. I was also employed by Daggett County as Daggett County Clerk, Auditor and Treasurer from January 1967 to December 31, 1994.
- I have traveled and am familiar with Pigeon Canyon Road, Daggett County Road D21 and the land it traverses.
- 3. I took the following steps to verify that the Road I refer to in this affidavit and Pigeon Canyon Road (the "Road") are the same road:
- a. I examined a large Daggett County map depicting the Road in relation to other roads, intersections and landmarks. I observed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.
- b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the Road I refer to herein.
- c. I examined ground photos depicting the Road and surrounding area and verified that the Road is accurately depicted on the photos and is the Road I refer to herein.

- 4. I personally traveled the Road from the early 1950s through 1976 and continuing until 2004, ("the Time Period of My Experience"). It is the reputation in the community that the Road was traveled as early as the early 1900s, prior to my earliest recollection. The road accesses a spring used by sheep herders and cattle ranchers for years.
- 5. When I last traveled and observed the Road in 2004, it followed the same route as in the early 1950s, when I first traveled and observed it.
- 6. During the Time Period of My Experience the Road has been traveled daily, weather permitting during hunting seasons and weekly, weather permitting throughout the rest of the year.

 Based upon my observation during the Time Period of My Experience, the road was continuously used as a public thoroughfare by members of the public for public purposes whenever it was necessary and convenient for them to do so and I have never known the use of the road to have been interrupted by any means.
- 7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and ATVs, and I have observed others from the general public use the Road by the same means and motorcycles and snowmobiles.
- 8. During the Time Period of My Experience I have personally used the Road for recreation and hunting and I have observed others from the general public using the Road for the same purposes and livestock operations.

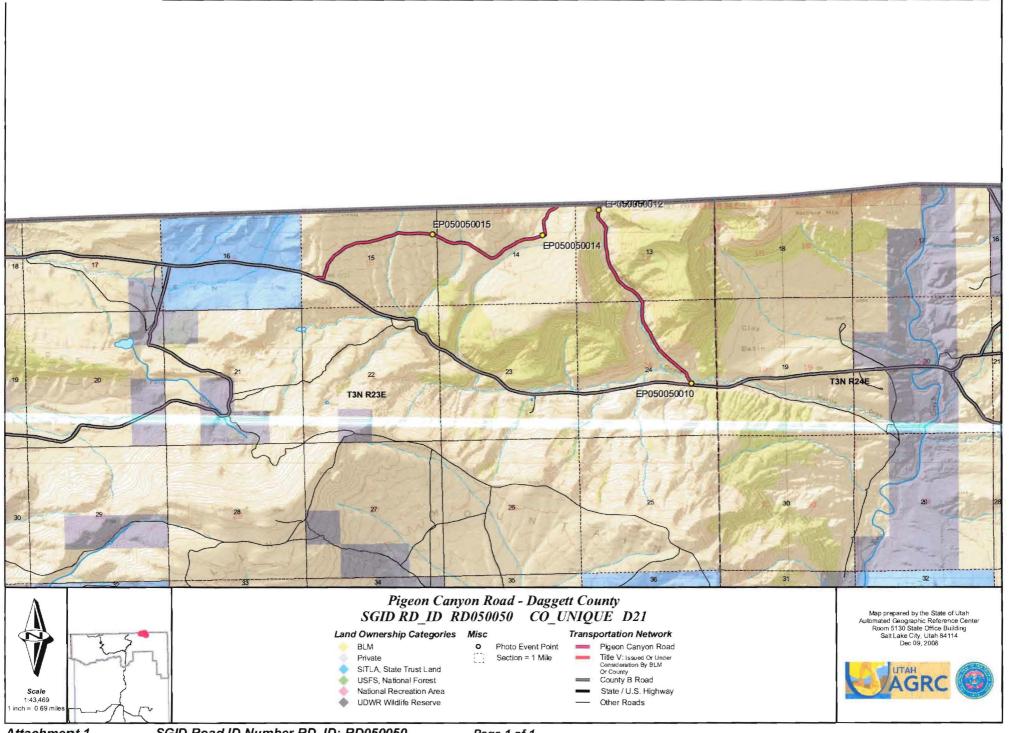
DATED this 17 day of December, 2008,

GENE BRIGGS

SUBSCRIBED AND SWORN to before me this ______day of December, 2008.

Notary Public
GLORIA GARDNER
Commission Number 576232
My Commission Expires
October 16, 2012
State of Utah

NOTARY PUBLIC



SGID Road ID Number RD_ID: RD050050 Attachment 1

Page 1 of 1

Appendix A to Attachment 4

Popular Name: Pigeon Canyon Road

County: Daggett

County Road Number: D21

State Geographic Information Database (SGID) Road Identification Number: RD050050.

Road-Segment Number: 001

Road-Segment Length: 2.19 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 3 North Range 23 East, Section(s) 14,15, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Pigeon Canyon Road)-- Segment 001 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 40 degrees 59 minutes 036.2 seconds North Latitude and -109 degrees 18 minutes 056.6 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 2,243,327.1 feet and Y = 3,528,891.6 feet; thence the following courses along the said road center line:

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thence North 78 Degrees 18 Minutes 00 Seconds East thence North 86 Degrees 01 Minutes 54 Seconds East thence South 85 Degrees 13 Minutes 18 Seconds East thence North 78 Degrees 21 Minutes 17 Seconds East thence North 19 Degrees 09 Minutes 03 Seconds East thence North 11 Degrees 22 Minutes 56 Seconds East thence North 18 Degrees 18 Minutes 12 Seconds East thence North 15 Degrees 16 Minutes 13 Seconds East thence North 32 Degrees 58 Minutes 31 Seconds East 197.6 feet thence North 37 Degrees 11 Minutes 31 Seconds East 194.5 feet thence North 40 Degrees 54 Minutes 26 Seconds East 187.6 feet thence North 50 Degrees 08 Minutes 47 Seconds East 167.6 feet
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thence North 52 Degrees 39 Minutes 25 Seconds East 163.5 feet thence North 51 Degrees 16 Minutes 31 Seconds East 195.5 feet thence North 61 Degrees 25 Minutes 58 Seconds East 111 feet thence North 71 Degrees 00 Minutes 45 Seconds East 82.1 feet thence North 67 Degrees 38 Minutes 27 Seconds East 266.9 feet thence North 76 Degrees 16 Minutes 20 Seconds East 14.2 feet thence North 82 Degrees 23 Minutes 37 Seconds East 207.4 feet thence North 88 Degrees 58 Minutes 46 Seconds East 137.2 feet thence North 84 Degrees 48 Minutes 38 Seconds East 155.1 feet thence North 66 Degrees 16 Minutes 01 Seconds East 111.5 feet thence North 78 Degrees 58 Minutes 23 Seconds East 256.4 feet thence North 69 Degrees 00 Minutes 49 Seconds East 254.9 feet thence North 76 Degrees 39 Minutes 04 Seconds East 298.7 feet thence North 64 Degrees 14 Minutes 00 Seconds East 126.1 feet thence North 63 Degrees 05 Minutes 59 Seconds East 151.1 feet thence South 76 Degrees 59 Minutes 51 Seconds East 221.9 feet thence North 86 Degrees 58 Minutes 14 Seconds East 279.2 feet thence North 87 Degrees 39 Minutes 19 Seconds East 280.7 feet thence South 87 Degrees 14 Minutes 34 Seconds East 273.7 feet thence South 78 Degrees 51 Minutes 53 Seconds East 321.8 feet thence South 63 Degrees 15 Minutes 39 Seconds East 107.3 feet thence South 63 Degrees 15 Minutes 43 Seconds East 173.8 feet thence South 64 Degrees 00 Minutes 56 Seconds East 273.8 feet thence South 75 Degrees 34 Minutes 17 Seconds East 238.2 feet thence North 84 Degrees 51 Minutes 20 Seconds East 274 feet thence South 83 Degrees 24 Minutes 06 Seconds East 231 feet thence South 71 Degrees 58 Minutes 17 Seconds East 83.3 feet thence South 57 Degrees 56 Minutes 32 Seconds East 257.2 feet thence South 55 Degrees 17 Minutes 27 Seconds East 177.1 feet thence South 57 Degrees 56 Minutes 32 Seconds East 128.6 feet thence South 56 Degrees 57 Minutes 13 Seconds East 202.8 feet thence South 55 Degrees 49 Minutes 36 Seconds East 159.3 feet thence South 69 Degrees 14 Minutes 41 Seconds East 127.7 feet thence North 73 Degrees 42 Minutes 07 Seconds East 149.1 feet thence North 55 Degrees 17 Minutes 03 Seconds East 151.1 feet thence North 44 Degrees 46 Minutes 18 Seconds East 248.3 feet thence North 44 Degrees 13 Minutes 22 Seconds East 90.3 feet thence North 69 Degrees 33 Minutes 14 Seconds East 138.4 feet thence North 57 Degrees 46 Minutes 53 Seconds East 326.1 feet thence North 52 Degrees 52 Minutes 50 Seconds East 43.8 feet thence North 65 Degrees 36 Minutes 04 Seconds East 245.4 feet thence North 80 Degrees 26 Minutes 49 Seconds East 151.6 feet thence North 85 Degrees 09 Minutes 41 Seconds East 275.8 feet thence North 72 Degrees 48 Minutes 23 Seconds East 226.3 feet thence North 71 Degrees 09 Minutes 39 Seconds East 258.5 feet thence North 05 Degrees 15 Minutes 50 Seconds East 84.1 feet thence North 12 Degrees 39 Minutes 53 Seconds West 122.9 feet thence North 04 Degrees 56 Minutes 35 Seconds West 110.3 feet thence North 11 Degrees 58 Minutes 07 Seconds West 125.3 feet thence North 00 Degrees 36 Minutes 23 Seconds East 119.8 feet thence North 43 Degrees 11 Minutes 45 Seconds East 144.8 feet thence North 15 Degrees 31 Minutes 36 Seconds East 154.9 feet thence North 35 Degrees 14 Minutes 44 Seconds East 151.7 feet thence North 64 Degrees 04 Minutes 31 Seconds East 224.1 feet

thence North 46 Degrees 10 Minutes 54 Seconds East 220 feet more or less to **the ending point at:** 41 degrees 00 minutes 02.68 seconds North Latitude and -109 degrees 16 minutes 53.82 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 2,252,671.0 feet and Y = 3,531,809.3 feet.

Appendix B to Attachment 4

Popular Name: Pigeon Canyon Road

County: Daggett

County Road Number: D21

State Geographic Information Database (SGID) Road Identification Number: RD050050.

Road-Segment Number: 002

Road-Segment Length: 1.6 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 3 North Range 23 East, Section(s) 13,24, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Pigeon Canyon Road)-- Segment 002 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 41 degrees 00 minutes 02.69 seconds North Latitude and -109 degrees 16 minutes 33.24 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 2,254,248.4 feet and Y = 3,531,850.8 feet; thence the following courses along the said road center line:

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thence South 14 Degrees 33 Minutes 09 Seconds West 91.6 feet thence South 10 Degrees 34 Minutes 11 Seconds West 218.5 feet thence South 07 Degrees 34 Minutes 03 Seconds West 233.9 feet thence South 42 Degrees 41 Minutes 33 Seconds East 226.5 feet thence South 46 Degrees 18 Minutes 52 Seconds East 108.6 feet thence South 27 Degrees 49 Minutes 32 Seconds East 209 feet thence South 10 Degrees 06 Minutes 28 Seconds West 170.2 feet thence South 01 Degrees 11 Minutes 25 Seconds East 219.9 feet thence South 02 Degrees 05 Minutes 19 Seconds East 321.7 feet thence South 12 Degrees 56 Minutes 55 Seconds East 240.4 feet thence South 05 Degrees 03 Minutes 58 Seconds East 338.7 feet thence South 18 Degrees 33 Minutes 13 Seconds East 302.3 feet
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thence South 35 Degrees 58 Minutes 27 Seconds East 345.2 feet
thence South 25 Degrees 30 Minutes 01 Seconds East 306.3 feet
thence South 47 Degrees 09 Minutes 38 Seconds East 386 feet
thence South 64 Degrees 20 Minutes 19 Seconds East 310.7 feet
thence South 47 Degrees 04 Minutes 26 Seconds East 275.3 feet
thence South 30 Degrees 28 Minutes 28 Seconds East 248.3 feet
thence South 30 Degrees 28 Minutes 36 Seconds East 52.9 feet
thence South 01 Degrees 37 Minutes 40 Seconds West 277.8 feet
thence South 01 Degrees 54 Minutes 47 Seconds East 274.1 feet
thence South 09 Degrees 47 Minutes 51 Seconds East 209.6 feet
thence South 28 Degrees 11 Minutes 42 Seconds East 285.8 feet
thence South 35 Degrees 48 Minutes 12 Seconds East 220 feet
thence South 25 Degrees 18 Minutes 19 Seconds East 242.5 feet
thence South 25 Degrees 48 Minutes 21 Seconds East 230.4 feet
thence South 32 Degrees 40 Minutes 24 Seconds East 281.6 feet
thence South 46 Degrees 55 Minutes 56 Seconds East 324.7 feet
thence South 47 Degrees 46 Minutes 19 Seconds East 261.9 feet
thence South 47 Degrees 00 Minutes 40 Seconds East 174.5 feet
thence South 52 Degrees 12 Minutes 33 Seconds East 308.2 feet
thence South 49 Degrees 44 Minutes 35 Seconds East 229.4 feet
thence South 58 Degrees 13 Minutes 21 Seconds East 92.6 feet
thence South 03 Degrees 25 Minutes 29 Seconds East 103.5 feet
thence South 26 Degrees 54 Minutes 02 Seconds East 124.7 feet
thence South 32 Degrees 56 Minutes 29 Seconds East 235.7 feet
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thence South 12 Degrees 46 Minutes 50 Seconds East 48.7 feet more or less to the ending point at: 40 degrees 58 minutes 52.22 seconds North Latitude and -109 degrees 15 minutes 49.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 2,257,808.2 feet and Y = 3,524,807.2 feet.